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January 20, 2010

VIA ELECTRONIC FILING

The Honorable Michael J. Davis
Attn: Kristine Wegner
United States District Court
300 South Fourth Street
Minneapolis, MN 55415

Re: Operating Engineers Local #49 Health and Welfare Fund, et al v. Premier
Turf and Irrigation, LLC
Court File No.: 09-CV-0228 (MJD/JJK)
Hearing Date: January 22, 2010
Our File No.: 62230-0051

Dear Ms. Wegner:

The Plaintiffs in the above-entitled matter hereby withdraw their Motion for Entry of Judgment filed on November 16, 2009 which is identified by the Court as Docket No. 12. The Plaintiffs will file a Notice of Dismissal under separate cover at a later date.

The Defendant is being notified of the withdrawal by copy of this letter. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Amy L. Court

Enclosures

cc: Premier Turf & Irrigation, LLC (w/ encl.) (via U.S. Mail)
Wilson-McShane Corporation (w/o encl.) (via U.S. Mail)

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